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PATENT  
Attorney Docket No. 056707-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gregory M. Glenn et al.** )  
Application No. **10/790,715** ) Group Art Unit: **1645**  
Filed: **March 3, 2004** ) Examiner: **Not Assigned**  
For: **Use of Penetration Enhancers and Barrier** )  
**Disruption Agents to Enhance the** )  
**Transcutaneous Immune Response** )  
**Induced by ADP-Ribosylating Exotoxin** )

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

The present application is a continuation application of U.S. Application 09/257,188, now U.S. Patent No. 6,797,276, issued September 28, 2004. Copies of documents listed on pages 1-14 have previously been submitted in U.S. Application 09/257,188. The Examiner's attention is respectfully directed to the art of record in this prior application and thus these references are not being submitted.

Copies of documents Y1-Y42 and Y89-Y91, U.S. patent documents, are not attached. However, copies of documents Y43-Y88 and Y92-Y100 are attached along with a copy of the European Search Report which issued in a corresponding European application, European Patent Application No. EP 03 00 7948.7. Applicants respectfully request that the Examiner consider

the listed documents and evidence that consideration by making appropriate notations on the attached forms.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies a document as "prior art" against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **October 13, 2004**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202)-739-3001

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
Erich E. Veitenheimer  
Registration No. 40,420



Atty. Dkt. No.	M#	Client Ref. No.
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Examiner: Not Assigned		Group Art Unit: 1645

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Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
aa	3,837,340	09/1974	COUNTER			
ab	3,948,263	04/1976	DRAKE			
ac	3,982,536	09/1976	KROGSENG			
ad	4,196,191	04/1980	ALMEIDA			
ae	4,220,584	09/1980	LIMJUCO			
af	4,235,871	11/1980	PAPAHADJOPOULOS			
ag	4,285,931	08/1981	LIMJUCO			
ah	4,394,448	07/1983	SZOKA			
ai	4,411,888	10/1983	KLIPSTEIN			
aj	4,455,142	06/1984	MARTINS			
ak	4,484,923	11/1984	AMKRAUT			
al	4,497,796	02/1985 <sup>1</sup>	SALSER			
am	4,587,044	05/1986	MILLER			
an	4,692,462	09/1987	BANERJEE			
ao	4,725,271	02/1988	KOROL			
ap	4,732,892	03/1988	SARPOTDAR			
aq	4,743,588	05/1988	MIREJOVSKY			
ar	4,761,372	08/1988	MAAS			
as	4,764,381	08/1988	BODOR			
at	4,783,450	11/1988	FAWZI			
au	4,834,985	05/1989	ELGER			
av	4,876,278	10/1989	TAYLOR			
aw	4,877,612	10/1989	BERGER			
ax	4,892,737	01/1990	BODOR			
ay	4,908,389	03/1990	MAHJOUR			
az	4,917,688	04/1990	NELSON			

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							Enclosed	No	Enclose	No

OTHER (including in this order: Author, Title, Periodical Name, Date, Pertinent Pages, etc.)


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\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 (modified)  
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ba	4,917,895	04/1990	LEE			
bb	4,921,757	05/1990	WHEATLEY			
bc	4,929,442	05/1990	POWELL			
bd	4,946,853	08/1990	BANNON			
be	4,956,171	09/1990	CHANG			
bf	4,960,771	10/1990	RAJADHYAKSHA			
bg	4,970,206	11/1990	ALEXANDER			
bh	5,008,050	04/1991	CULLIS			
bi	5,008,111	04/1991	BODOR			
bj	5,023,252	06/1991	HSIEH			
bk	5,028,435	07/1991	KATZ			
bl	5,030,629	07/1991	RAJADHYAKSHA			
bm	5,032,402	07/1991	DIGENIS			
bn	5,041,439	08/1991	KASTING			
bo	5,045,317	09/1991	CHESS			
bp	5,049,386	09/1991	EPPSTEIN			
br	5,049,387	09/1991	AMKRAUT			
br	5,059,189	10/1991	CILENTO			
bs	5,059,421	10/1991	LOUGHREY			
bt	5,069,904	12/1991	MASTERSON			
bu	5,082,866	01/1992	WONG			
bw	5,108,921	04/1992	LOW			
bw	5,142,044	08/1992	MINASKANIAN			
bx	5,162,315	11/1992	RAJADHYAKSHA			
by	5,164,406	11/1992	HELMAN			

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ca	5,166,320	11/1992	WU			
cb	5,169,637	12/1982	LENK			
cc	5,182,109	01/1993	TAMURA			
cd	5,196,410	03/1993	FRANCOEUR			
ce	5,200,393	04/1993	WEINER			
cf	5,204,339	04/1993	MINASKANIAN			
cg	5,215,520	06/1993	SHROOT			
ch	5,225,182	07/1993	SHARMA			
ci	5,232,935	08/1993	COLAS			
cj	5,234,959	08/1993	MINASKANIAN			
ck	5,238,944	08/1993	WICK			
cl	5,240,846	08/1993	COLLINS			
cm	5,252,334	10/1993	CHIANG			
cn	5,256,422	10/1993	ALBERT			
co	5,260,066	11/1993	WOOD			
cp	5,270,346	12/1993	MINASKANIAN			
cq	5,308,835	05/1994	CLEMENTS			
cr	5,326,566	07/1994	PARAB			
cs	5,326,790	07/1994	THORNFELDT			
ct	5,328,470	07/1994	NABEL			
cu	5,332,576	07/1994	MANTELLE			
cv	5,332,577	07/1994	GERTNER			
cw	5,340,588	08/1994	DOMB			
cx	5,352,449	10/1994	BELTZ			
cy	5,399,346	03/1995	ANDERSON			
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MR. [REDACTED]  
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 [REDACTED]  
 [REDACTED]

Client Ref. [REDACTED]  
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db	5,445,611	08/1995	EPPSTEIN			
dc	5,458,140	10/1995	EPPSTEIN			
dd	5,462,743	10/1995	TURNER			
de	5,464,386	11/1995	HOFMANN			
df	5,472,946	12/1995	PECK			
dg	5,482,965	01/1996	RAJADHYAKSHA			
dh	5,492,698	02/1996	VON KLEINSORGEN			
di	5,505,956	04/1996	KIM			
dj	5,505,958	04/1996	BELLO			
dk	5,533,995	07/1996	CORISH			
dl	5,534,260	07/1996	PETERSEN			
dm	5,536,263	07/1996	ROLF			
dn	5,540,931	07/1996	HEWITT			
do	5,547,932	08/1996	CURIEL			
dp	5,573,778	11/1996	THERRIAULT			
dq	5,578,475	11/1996	JESSEE			
dr	5,580,859	12/1996	FELGNER			
ds	5,589,466	12/1996	FELGNER			
dt	5,593,972	01/1997	WEINER			
du	5,601,827	02/1997	COLLIER			
dv	5,607,691	03/1997	HALE			
dw	5,612,382	03/1997	FIKE			
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eb	5,643,578	07/1997	ROBINSON			
ec	5,658,587	08/1997	SANTUS			
ed	5,661,025	08/1997	SZOKA			
ee	5,661,130	08/1997	MEEZAN			
ef	5,674,503	10/1997	OLAFSON			
eg	5,676,954	10/1997	BRIGHAM			
eh	5,679,647	10/1997	CARSON			
ei	5,686,100	11/1997	WILLE			
ej	5,693,024	12/1997	FLOWER			
ek	5,693,622	12/1997	WOLFF			
el	5,695,991	12/1997	LINDHOLM			
em	5,697,901	12/1997	ERIKSSON			
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ev	5,733,572	03/1998	UNGER			
ew	5,733,762	03/1998	MIDOUX			
ex	5,736,154	04/1998	FUISZ			
ey	5,736,392	04/1998	HAWLEY-NELSON			
ez	5,736,524	04/1998	CONTENT			

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fb	5,739,118	04/1998	CARRANO			
fc	5,741,510	04/1998	ROLF			
fd	5,756,117	05/1998	D'ANGELO			
fe	5,760,096	06/1998	THORNFELDT			
ff	5,766,899	06/1998	KUO			
fg	5,770,580	06/1998	LEDLEY			
fh	5,773,022	06/1998	NYQVIST-MAYER			
fi	5,780,050	07/1998	JAIN			
fj	5,783,567	07/1998	HEDLEY			
fk	5,789,230	08/1998	COTTON			
fl	5,804,214	09/1998	WONG			
fm	5,804,566	09/1998	CARSON			
fn	5,811,406	09/1998	SZOKA			
fo	5,814,599	09/1998	MITRAGOTRI			
fp	5,814,617	09/1998	HOFFMAN			
fq	5,824,538	10/1998	BRANSTROM			
fr	5,827,703	10/1998	DEBS			
fs	5,827,705	10/1998	DEAN			
ft	5,830,876	11/1998	WEINER			
fu	5,830,877	11/1998	CARSON			
fv	5,834,010	11/1998	QUAN			
fw	5,837,289	11/1998	GRASELA			
fx	5,837,533	11/1998	BOUTIN			
fy	5,840,059	11/1998	MARCH			
fz	5,843,913	12/1998	LI			

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qa	5,844,107	12/1998	HANSON							
gb	5,846,540	12/1998	RESTIFO							
qc	5,846,949	12/1998	WAGNER							
qd	5,849,719	12/1998	CARSON							
qe	5,853,751	12/1998	MASIZ							
qf	5,856,187	01/1999	RESTIFO							
qg	5,858,784	01/1999	DEBS							
gh	5,866,553	02/1999	DONNELLY							
qi	5,877,159	03/1999	POWELL							
qj	5,877,302	03/1999	HANSON							
qk	5,885,971	03/1999	GERMAN							
ql	5,910,306	06/1999	ALVING							
qm	5,910,488	06/1999	NABEL							
qn	5,914,114	06/1999	CASSELS							
qo	5,916,879	06/1999	WEBSTER							
qp	5,935,838	08/1999	ASKELOEF							
qq	5,961,979	10/1999	SRIVASTAVA							
qr	5,980,898	11/1999	GLENN							
qs	5,985,847	11/1999	CARSON							
qt	6,008,200	12/1999	KRIEG							
qu	6,039,969	03/2000	TOMAI							
qv	6,087,341	07/2000	KHAVARI							
gw	6,173,202	01/2001	EPPSTEIN							
qx	6,180,136	01/2001	LARSON							
qy	6,183,434	02/2001	EPPSTEIN							
qz	6,210,672	04/2001	COWING							
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							Enclosed	No	Enclose	No
ha	AU 47099/89	06/1990	AU							
hb	WO 92/03122	03/1992	WIPO							
hc	WO 94/21230	09/1994	WIPO							
hd	WO 96/14855	05/1996	WIPO							
he	WO 96/25190	08/1996	WIPO							
hf	WO 97/24447	07/1997	WIPO							
hg	WO 97/31119	08/1997	WIPO							
hh	WO 97/35957	10/1997	WIPO							
hi	WO 98/01538	01/1998	WIPO							
hj	WO 98/10750	03/1998	WIPO							
hk	WO 98/20734	05/1998	WIPO							
hl	WO 98/42375	10/1998	WIPO							
hm	WO 98/46208	10/1998	WIPO							
hn	EP 0 891 770	01/1999	EPO							
ho	WO 99/04009	01/1999	WIPO							
hp	WO 99/08689	02/1999	WIPO							
hq	WO 99/08713	02/1999	WIPO							
hr	WO 99/41366	08/1999	WIPO							
hs	WO 99/43350	09/1999	WIPO							
ht	WO 99/53960	10/1999	WIPO							
hu	WO 99/60167	11/1999	WIPO							
hv	WO 99/62537	12/1999	WIPO							
hw	WO 00/44349	08/2000	WIPO							
hx	WO 00/61184	10/2000	WIPO							

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ia	ALLISON "Hydrogen bonding between sugar and protein is responsible for inhibition of dehydration-induced protein unfolding" Arch Biochem Biophys 365 (1999) 289-298
ib	ALLISON "Optimization of storage stability of lyophilized actin using combinations of disaccharides and dextran" J Pharm Sci 89 (2000) 199-214
ic	ANDYA "The effect of formulation excipients on protein stability and aerosol performance of spray-dried powders of a recombinant humanized anti-IgE monoclonal antibody" Pharm Res 16 (1999) 350-358
id	ARAKAWA "Protein-solvent interactions in pharmaceutical formulations" Pharma Res 8 (1991) 285-291
ie	ARANY "Correlation between pretreatment levels of interferon response genes and clinical responses to an immune response modifier (imiquimod) in genital warts" Antimicrob Agents Chemother 44 (2000) 1869-1873
if	ALVING "Effectiveness of liposomes as potential carriers of vaccines: Applications to cholera toxin and human malaria sporozoite antigen" Vaccine 4 (1986) 166-172
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			Applicants: Gregory M Glenn <i>et al</i> Page 19 of 19				
PTO Form 1449			Filing Date: March 3, 2004	Group Art Unit: 1645			
<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
	Y89	5,910,306	08/1999	Glenn			
	Y90	5,980,898	11/1999	Glenn			
	Y91	6,797,276	02/1999	Glenn			
<b>FOREIGN PATENT DOCUMENTS</b>							
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	Y92	1061951	02/99	EP			
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